

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

CRAIG A. CARSON,

Petitioner,

v.

COMMONWEALTH OF  
PENNSYLVANIA, et al.,

Respondents.

Civil Action No. 06-75 Erie

**MEMORANDUM ORDER**

This motion to proceed in forma pauperis was received by the Clerk of Court on March 23, 2006, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation [Doc. No. 2], filed on March 24, 2006, recommended that Petitioner's motion be dismissed without prejudice. Petitioner was allowed ten (10) days from the date of service to file objections. Service was made on Petitioner by certified mail. No objections were filed. After de novo review of the motion and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 13<sup>th</sup> day of April, 2006;

IT IS HEREBY ORDERED that the Petitioner's Motion to Proceed In Forma Pauperis [Doc. No. 1] is DISMISSED without prejudice.

The Report and Recommendation [Doc. No. 2] of Magistrate Judge Baxter, filed on March 24, 2006, is adopted as the opinion of the Court.

s/ Sean J. McLaughlin  
United States District Judge

cm: All parties of record  
Susan Paradise Baxter, U.S. Magistrate Judge